

Compendium of Budget Information for the 2014 General Session

Executive Offices and Criminal Justice Appropriations Subcommittee

Agency: Attorney General

Line Item: Contract Attorneys

Function

The Contract Attorneys line item tracks costs of outside attorneys and expert witnesses hired by the A.G. in cases where a conflict of interest exists, where the Legislature has specifically requested outside legal representation, or when the requisite legal expertise on specific issues is not available in the A.G. office.

Statutory Authority

Statutory authority for the Contract Attorney line item is found in UCA 67-5-5. The code states, "Unless he hires such legal counsel from outside his office, the attorney general shall remain the sole legal counsel for that agency. If outside counsel is hired for an agency, then the costs of any services to be rendered by this counsel shall be approved by the attorney general before these costs are incurred."

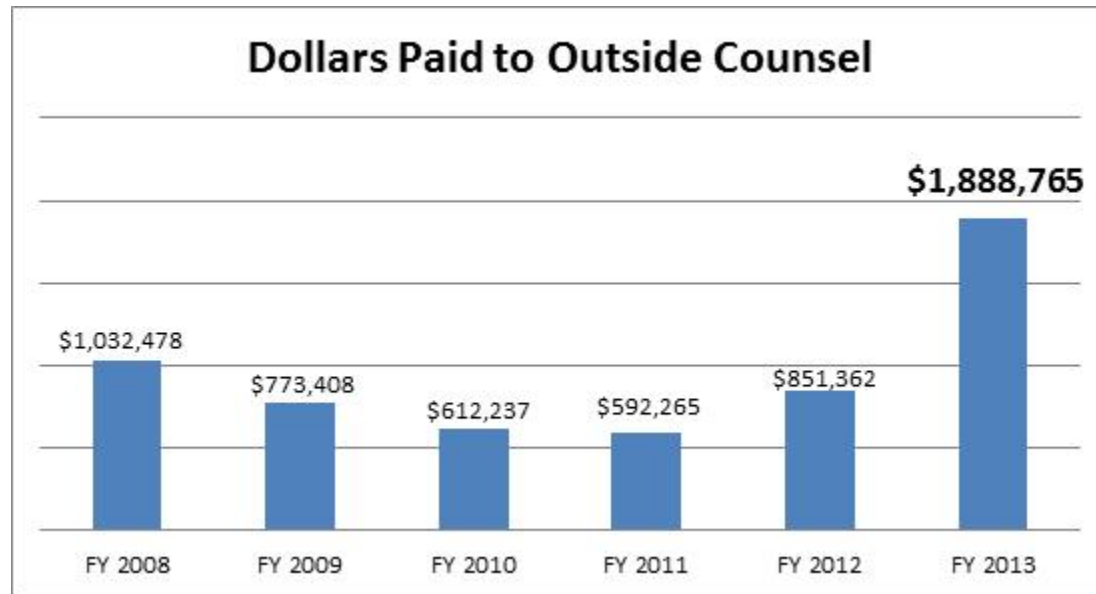
Intent Language

The Legislature intends that: (1) the attorney general's office may not make any payments from the FLDS Trust appropriation until the office has provided the Legislature with: (a) a court order releasing the state of Utah from any liability for payment to the special fiduciary, the special fiduciary's advisors and employees, or any other expenses of the trust in excess of the amount appropriated in this line item; and (b) a written document signed by the special fiduciary waiving any claim that the Trust has against the State of Utah for post-judgment interest; and (2) after the attorney general's office has certified in writing that the requirements of Subsection (1) have been fulfilled, the Division of Finance disburse the appropriation to the attorney general's office for payment to the special fiduciary as follows: (a) \$3 million within two business days after the date that the appropriation takes effect; (b) \$1 million on September 16, 2013; and (c) the remaining balance of the appropriation on March 17, 2014; (3) if the special fiduciary repays \$4 million of this appropriation to the state of Utah by April 1, 2014, neither the state nor the Legislature will seek reimbursement of the remaining balance; and (4) any money repaid by the trust or special fiduciary be deposited into the General Fund.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Attorney General - Contract Attorneys in Item 12 Chapter 11 Laws of Utah 2012 not lapse at the close of fiscal year 2013.

Performance

The dollars paid to outside counsel is a general indicator of how much the Attorney General's office uses private law firms to augment legal work done internally.



Funding Detail

The Contract Attorney line item has only one program. Any General Fund in this line item represents estimates of outside counsel costs for cases of a general statewide nature. Dedicated credits funding represents reimbursements from state agencies that benefit from litigation for which outside counsel is used.

Sources of Finance	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
General Fund, One-time	\$13,850,000	\$13,500,000	\$774,000	\$14,274,000	(\$14,274,000)	\$0
Dedicated Credits Revenue	\$1,888,800	\$300,000	\$0	\$300,000	\$0	\$300,000
Beginning Nonlapsing	(\$223,800)	\$0	(\$223,800)	(\$223,800)	\$223,800	\$0
Closing Nonlapsing	\$223,800	\$0	\$223,800	\$223,800	(\$223,800)	\$0
Total	\$15,738,800	\$13,800,000	\$774,000	\$14,574,000	(\$14,274,000)	\$300,000

Programs	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
Contract Attorneys	\$15,738,800	\$13,800,000	\$774,000	\$14,574,000	(\$14,274,000)	\$300,000
Total	\$15,738,800	\$13,800,000	\$774,000	\$14,574,000	(\$14,274,000)	\$300,000

Categories of Expenditure	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
Current Expense	\$1,888,800	\$300,000	\$0	\$300,000	\$0	\$300,000
Other Charges/Pass Thru	\$13,850,000	\$13,500,000	\$774,000	\$14,274,000	(\$14,274,000)	\$0
Total	\$15,738,800	\$13,800,000	\$774,000	\$14,574,000	(\$14,274,000)	\$300,000

COBI contains unaudited data as presented to the Legislature by state agencies at the time of publication. For audited financial data see the State of Utah's Comprehensive Annual Financial Reports.